

# SHANKS & HERBERT

Intellectual Property Advocates

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January 30, 2002

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Re: U.S. Patent Application  
Serial No.: To Be Assigned  
Filed: January 30, 2002  
Priority Claimed Under Korean Patent Appl. No. 2001-43450  
Filing Date: July 19, 2001  
For: **A Method For Identifying Mycobacterium Tuberculosis And  
Mycobacteria Other Than Tuberculosis, Together With  
Detecting Resistance To An Antituberculosis Drug Of  
Mycobacteria Obtained By Mutation of RPOB Gene**  
Inventors: Lee, et al.  
Attorney Docket No.: 0217-0008

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Transmittal Letter;
2. Application cover letter;
3. Application consisting of: 21 pages of specification, 3 pages of claims, 1 page of abstract and 7 pages of drawings;
4. Executed Declaration and Power of Attorney;
5. English translation of Original Priority Document;
6. One (1) marked up version of the English translation of Original Priority Document;
7. Submission of Substitute Specification Under 37 C.F.R. § 1.125;
8. Assignment cover sheet; and Executed Assignment;
9. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825;
10. Submission of Sequence Listing Under 37 C.F.R. § 1.821(a);
11. Paper copy of sequence listing and diskette containing sequence listing;
12. Claim for Priority Under 35 U.S.C. § 119 in Utility Application with Priority document;
13. Verified Statement (Declaration Claiming Small Entity Status (37 C.F.R. 1.9(f) and 1.279(c) – Small Business Concern;
14. Check in the amount of \$622.00 (application filing fee and assignment recordation fee);
15. Two (2) return postcards.

West Coast Office

4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122  
Telephone: (858) 597-6688 Facsimile: (858) 597-6682

10/058422  
01/30/02

The PTO did not receive the following  
listed item(s) *see serial 0217-0008*

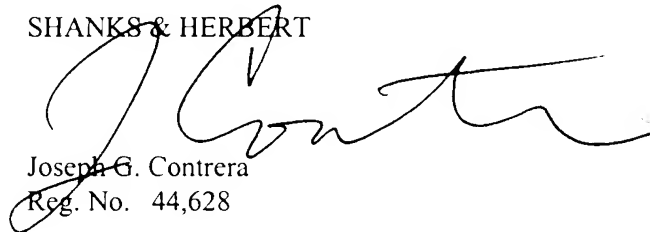
30 January, 2002

Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT

A handwritten signature in black ink, appearing to read "J. Contrera", is written over the printed name and registration number.

Joseph G. Contrera  
Reg. No. 44,628

# SHANKS & HERBERT

TransPotomac Plaza  
1033 N. Fairfax St.  
Suite 306  
Alexandria, VA 22314  
(703) 683-3600

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn. Box Patent Application

Sir:

Atty. Docket No. 0217-0008

Transmitted herewith for filing is the patent application of:

Inventors: Lee, et al.

For: A METHOD FOR IDENTIFYING MYCOBACTERIUM TUBERCULOSIS AND MYCOBACTERIA OTHER THAN TUBERCULOSIS, TOGETHER WITH DETECTING RESISTANT TO AN ANTITUBERCULOSIS DRUG OF MYCOBACTERIA OBTAINED BY MUTATION OF RPOB GENE

Enclosed are:

- ☒ Seven (7) sheets of drawings.
- ☒ An assignment of the invention to Xeniss Life Science Co., Ltd.
- ☐ A certified copy of a \_\_\_\_\_ application
- ☐ An associate power of attorney.
- ☒ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27.

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
For	No. Filed	No. Extra
Basic Fee		
Total Claims	14-20 =	0
Indep. Claims	9-3 =	6
<input type="checkbox"/> Multiple Dependent Claim Presented		

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

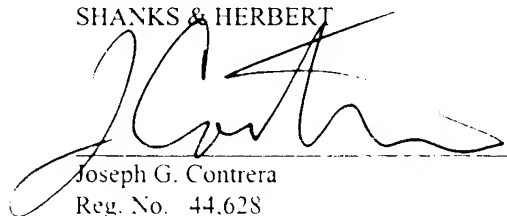
SMALL ENTITY	
Rate	Fee
	\$370
x 9 =	0
x 42 =	252
+ 140 =	
Total	\$622

LARGE ENTITY	
Rate	Fee
	\$740
x 18 =	
x 84 =	
+ 280 =	
Total	

- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$622.00 to cover the filing fee is enclosed
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0622. A duplicate copy of this sheet is attached.
  - ☒ Any additional filing fees required under 37 C.F.R. § 1.16.
  - ☐ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
  - ☐ Any patent application processing fees under 37 C.F.R. § 1.17
  - ☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b)
  - ☐ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Respectfully submitted,

SHANKS & HERBERT

  
Joseph G. Contrera  
Reg. No. 44,628

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lee et al.

Serial No. To Be Assigned

Filed: January 30, 2002

**For: A Method For Identifying Mycobacterium  
Tuberculosis And Mycobacteria Other Than  
Tuberculosis, Together With Detecting Resistance  
To An Antituberculosis Drug Of Mycobacteria  
Obtained By Mutation of RPOB Gene**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0217-0008

**SUBMISSION OF SUBSTITUTE SPECIFICATION UNDER 37 C.F.R. § 1.125**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified application, Applicant(s) herewith respectfully submits the attached substitute specification as replacement for the attached English translation of the original priority document.


In accordance with 37 C.F.R. § 1.125(b)(1), this submission includes no new matter.

Also in accordance with 37 C.F.R. § 1.125(b)(2), this submission includes marked up versions of the substitute specification showing all the changes (including the matter being added to and the matter being deleted from) to the English translation of the original priority document.

Respectfully submitted,

SHANKS & HERBERT

By:

  
**Joseph Contrera**  
Reg. No. 44,628

Date: 1/30/02  
TransPotomac Plaza  
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